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6 **UNITED STATES DISTRICT COURT**  
7 **DISTRICT OF NEVADA**  
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9 GLENFORD BUDD,  
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11                                      Petitioner,  
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13                                      v.  
14                                      RENEE BAKER, et al.,  
15  
16                                      Respondents.

Case No. 2:16-cv-00613-RFB-BNW  
**ORDER**

15            Petitioner has filed a motion for leave of court to file second amended petition (ECF No.  
16 41). Good cause appearing;

17            IT THEREFORE IS ORDERED that petitioner's motion for leave of court to file second  
18 amended petition (ECF No. 41) is **GRANTED**. Petitioner will have through September 3, 2019,  
19 to file and serve a second amended petition.

20            IT FURTHER IS ORDERED that respondents will have forty-five (45) days from the date  
21 of service of the second amended petition to answer or otherwise respond to the second amended  
22 petition. Respondents must raise all potential affirmative defenses in the initial responsive  
23 pleading, including lack of exhaustion and procedural default. The court will not entertain  
24 successive motions to dismiss.

25            IT FURTHER IS ORDERED that if respondents file and serve an answer, then they must  
26 comply with Rule 5 of the Rules Governing Section 2254 Cases in the United States District  
27 Courts, and then petitioner will have forty-five (45) days from the date on which the answer is  
28 served to file a reply.

1 IT FURTHER IS ORDERED that if respondents file and serve a motion, then petitioner  
2 will have twenty-eight (28) days from the date of service of the motion to file a response to the  
3 motion. Respondents then will have fourteen (14) days from the date of service of the response to  
4 file a reply.

5 DATED: July 3, 2019.

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RICHARD F. BOULWARE, II  
United States District Judge